

**BOARD OF STATE AND COMMUNITY CORRECTIONS****SB 1022
ADULT LOCAL CRIMINAL JUSTICE FACILITIES
CONSTRUCTION FINANCING PROGRAM
PROPOSAL FORM***This document is not to be reformatted.***RECEIVED****OCT 22 2013****Board of State and
Community Corrections****SECTION 1: PROJECT INFORMATION****A. APPLICANT INFORMATION AND PROPOSAL TYPE****COUNTY NAME**

Merced

STATE DOLLARS REQUESTED

\$ 40,000,000

**SMALL COUNTY
(200,000 OR UNDER GENERAL COUNTY
POPULATION)** ☐**MEDIUM COUNTY
(200,001 - 700,000 GENERAL COUNTY
POPULATION)** ☒**LARGE COUNTY
(700,001 + GENERAL COUNTY
POPULATION)** ☐**TYPE OF PROPOSAL – PROGRAM SPACE PROPOSAL OR BEDS AND PROGRAM SPACE PROPOSAL****PLEASE CHECK ONE (ONLY):****PROGRAM SPACE** ☐**BEDS AND PROGRAM SPACE** ☒**B. BRIEF PROJECT DESCRIPTION****FACILITY NAME**

John Latorraca Correctional Facility (JLCC)

PROJECT DESCRIPTION

Construct 432 New Maximum/Medium Security Beds, upgrade/expand all necessary infrastructure to support the project, Remodel Existing dorm space for a new intake/release area, classroom/programming spaces, property room, and medical space. Remodel existing administrative office space, adding staff support space and video visitation.

STREET ADDRESS

2584 W. Sandy Mush Road

CITY

Merced

STATE

CA

ZIP CODE

95341-8713

C. SCOPE OF WORK – INDICATE FACILITY TYPE AND CHECK ALL BOXES THAT APPLY**FACILITY TYPE (II, III or IV)**
II☐ **NEW STAND-ALONE
FACILITY**☒
**RENOVATION/
REMODELING**☒ **CONSTRUCTING BEDS OR OTHER
SPACE AT EXISTING FACILITY****D. BEDS CONSTRUCTED – Provide the number of BSCC-rated beds and non-rated special use beds that will be subject to construction as a result of the project, whether remodel/renovation or new construction.**

	A. MINIMUM SECURITY BEDS	B. MEDIUM SECURITY BEDS	C. MAXIMUM SECURITY BEDS	D. SPECIAL USE BEDS
Number of beds constructed		144	144	144

TOTAL BEDS (A+B+C+D)	432
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E. APPLICANT'S AGREEMENT

By signing this application, the authorized person(s) agree that a) the County will abide by the laws, regulations, policies and procedures governing this financing program, and b) certify that the information contained in this proposal form, budget, narrative and attachments is true and correct to the best of his/her knowledge.

PERSON AUTHORIZED TO SIGN AGREEMENT

NAME Deidre F. Kelsey

TITLE Chairperson Merced Board of Supervisors

AUTHORIZED PERSON'S SIGNATURE



DATE

10-08-2013

F. DESIGNATED COUNTY CONSTRUCTION ADMINISTRATOR

This person shall be responsible for all construction and related to this grant/county agreement. Must be County employee or consultant or contractor and must be approved by the Board of Supervisors' resolution.

COUNTY CONSTRUCTION ADMINISTRATOR

NAME Mr. Dana S. Hertfelder, P.E.

TITLE Director of Public Works

DEPARTMENT

Merced County Department of Public Works

TELEPHONE NUMBER

209-385-7602

STREET ADDRESS

715 Martin Luther King, Jr. Way

CITY

Merced

STATE

CA

ZIP CODE

95341-6041

E-MAIL ADDRESS

DHertfelder@co.merced.ca.us

G. DESIGNATED PROJECT FINANCIAL OFFICER

This person shall be responsible for all financial and accounting for the project. Must be County employee or consultant or contractor and must be approved by the Board of Supervisors' resolution.

PROJECT FINANCIAL OFFICER

NAME Ms. Lisa Cardella-Presto

TITLE Auditor-Controller

DEPARTMENT

Auditor-Controller

TELEPHONE NUMBER

209-385-7511

STREET ADDRESS

2222 M Street

CITY

Merced

STATE

CA

ZIP CODE

95340

E-MAIL ADDRESS

LCardella-Presto@co.merced.ca.us

H. DESIGNATED PROJECT CONTACT PERSON

This person shall be responsible for coordination and communication with the project. Must be County employee or consultant or contractor and must be approved by the Board of Supervisors' resolution.

PROJECT CONTACT PERSON

NAME Mr. Greg Sullivan

TITLE Sheriffs Captain

DEPARTMENT

Merced County Sheriffs Department

TELEPHONE NUMBER

209-385-7552

STREET ADDRESS

2222 M Street

CITY

Merced

STATE

CA

ZIP CODE

95340

E-MAIL ADDRESS

gsullivan@co.merced.ca.us

SECTION 2: BUDGET SUMMARY

BUDGET SUMMARY INSTRUCTIONS

Definitions of total project costs for purposes of this program (state reimbursed, county cash contribution and county in-kind contribution) can be found in the Project Costs, State Reimbursement and County Contribution (Match) section of the Request for Proposals (RFP). The county cash and in-kind contributions are collectively the county contribution. Those defined costs in the RFP shall be the guide for accurately completing this budget summary section.

In the Budget Summary Table that follows in part B of this section, indicate the amount of state financing requested and the amount of cash and/or in-kind contributions allotted to each budget line-item, in total defining the total project costs. While it is necessary to fully include each eligible project cost for state reimbursed and county cash contribution line items, it is not necessary to include county in-kind contribution amounts. All other eligible costs are considered hard costs and are to be claimed under state reimbursed or county cash contribution.

Inclusion of the in-kind contribution amounts is optional and counties may choose whether or not to include any of the amounts eligible under each in-kind contribution line item. The in-kind contribution line items represent only county staff salaries and benefits, or current fair market value of land. An appraisal of land value will be required after conditional award (or with proposal submittal if the county is seeking funding preference under the real estate due diligence criterion), and only if land value is included as part of the county's contribution.

The total amount of state financing requested cannot exceed 90 percent of the total project costs. The county contribution must be a minimum of 10 percent of the total project costs (unless the applicant is a small county petitioning for a reduction in the county contribution amount). County contributions can be any combination of cash or in-kind project costs. Small counties that petition for a reduction in the contribution amount must provide a minimum of five percent contribution of the total project costs. Small counties requesting a reduction in county contribution must state so in part A of this section.

State financing limits (maximums) for all proposals are as follows:

- **\$80,000,000** for large counties;
- **\$40,000,000** for medium counties; and
- **\$20,000,000** for small counties.

A. SMALL COUNTY PETITION FOR REDUCTION IN CONTRIBUTION

A small county may petition the BSCC Board for a reduction in its county contribution. This proposal document will serve as the petition and the BSCC Board's acceptance of the county's contribution reduction, provided the county abides by all terms and conditions of this SB 1022 RFP process and receives a conditional award. Small counties requesting the reduction must still provide a minimum of five percent contribution that may be any combination of cash and/or in-kind contribution. If requesting a reduction in match contribution, check the box below to indicate the county's petition.

- ☐ **This proposal includes a petition for a county contribution reduction request as reflected in the proposal budget.**

B. BUDGET SUMMARY TABLE
(Report to nearest \$1000)

LINE ITEM	STATE REIMBURSED	CASH CONTRIBUTION	IN-KIND CONTRIBUTION	TOTAL
1. Construction	\$ 40,000,000	\$ 8,919,000		\$ 48,919,000
2. Additional Eligible Costs*	\$ 0	\$ 998,000		\$ 998,000
3. Architectural	\$ 0	\$ 4,892,000		\$ 4,892,000
4. Project/Construction Management	\$ 0	\$ 2,691,000		\$ 2,691,000
5. CEQA		\$ 100,000		\$ 100,000
6. State Agency Fees		\$ 51,000		\$ 51,000
7. Audit		\$ 0	\$ 0	\$ 0
8. Needs Assessment		\$ 10,000	\$ 0	\$ 10,000
9. Transition Planning		\$ 0	\$ 0	\$ 0
10. County Administration			\$ 0	\$ 0
11. Land Value			\$ 43,000	\$ 43,000
TOTAL PROJECT COSTS	\$ 40,000,000	\$ 17,661,000	\$ 43,000	\$ 57,704,000
PERCENT OF TOTAL	69.32%	30.61%	0.07%	100.00 %

* Additional Eligible Costs: This line item is limited to specified fees and moveable equipment and moveable furnishings (eligible for state reimbursement or cash contribution), and public art (eligible for cash contribution only).

Provide an explanation below of how the dollar figures were determined for each of the budget line items above that contain dollar amounts. Every cash contribution (match) line item shall be included with a reporting of the full amount budgeted, unless a line item is not an actual cash contribution project cost for the county. (In that case, indicate so below.) For each line item explanation below, include how state financing and the county contribution dollar amounts have been determined and calculated (be specific).

1. Construction (includes fixed equipment and furnishings):

The conceptual construction cost estimate of \$48,919,000 used actual expenses taken from the County of Madera 144 bed, 2 story facility (which this proposal uses as the model) built with AB 900 funds. The costs were extracted from the general contractor's actual schedule of values from 2011, escalated at the historic inflation rate of 3-3.5% per year, and compounded for 5 years to an assumed mid-point of construction of August 2016. \$40,000,000 is the maximum state award for medium sized counties. The County is putting up the balance of \$8,919,000 as cash match for construction. This amount represents over one and one-half (1-1/2) times the minimum \$5,770,400 cash match required by the state.

2. **Additional Eligible Costs (specified allowable fees, moveable equipment and moveable furnishings, and public art):**
 - a) **Define each allowable fee type and the cost of each:** Building permit and plan check fees of \$322,785 are calculated on the valuation of construction costs described in the California Building Code. Building Inspection fees of \$208,000 are calculated for 4 hours of inspection per working day for 2 years of construction using weighted employee charge rates. Appraisal fee by independent consultant is \$4,500.
 - b) **Moveable equipment and moveable furnishings total amount:** \$463,630 is estimated for modular furnishings, video visitation equipment and movable inmate property storage equipment.
 - c) **Public art total amount:** \$0
3. **Architectural:**
 - a) **Describe the county's current stage in the architectural process:** The County has not yet issued a RFP for architectural services and it is still to be determined which delivery method the County will employ: Design-Bid-Build or Design-Build. Once the delivery method has been selected, the RFP will be ready to issue upon notice of award of state funds. However, the County has determined to use the facility design for the recently completed Madera County model of the multi-story, pod type of facility. The County has also identified the existing facilities to be remodeled, prepared conceptual plans and identified the scope of work for remodeling and program spaces.
 - b) **Given the approval requirements of the SPWB and associated state reimbursement parameters, define which portions/phases of the architectural services the county intends to seek state dollar reimbursement:** None.
 - c) **Define the budgeted amount for what is described in b) above:** \$0.
 - d) **Define which portion/phases of the architectural services the county intends to cover with county contribution dollars:** 100%.
 - e) **Define the budgeted amount for what is described in d) above:** \$4,892,000 represents the approximate industry standard fee of 10% of construction costs.
4. **Project/Construction Management:**

Merced County will be funding 100% of the project/construction management services as cash match and will be issuing a RFP for these contracted services. The \$2,691,000 cost represents 5.5% of the cost of construction, commensurate with a project of this type/size.
5. **CEQA:**

Merced County will be funding 100% of the CEQA process as cash match by utilizing retained consultants. The Board of Supervisors has already authorized Public Works and Planning departments to proceed with CEQA work and anticipate a Mitigated Negative Declaration as the determination. The \$100,000 cost estimate was provided by the County's Planning Dept.
6. **State Agency Fees (maximums: due diligence \$16,000; SFM \$35,000):**
 - a) **Real estate due diligence fee:** Cash match of \$16,000.
 - b) **State Fire Marshal fee:** Cash match of \$35,000.
7. **Audit – Define whether the county is intending to use independent county auditor (in-kind) or services of contracted auditor (cash) and amount budgeted:**

County of Merced will utilize an independent County auditor employed by the County's Auditor-Controller. No in-kind match will be claimed.

8. **Needs Assessment – Define whether work is performed by county staff (in-kind) or consultant (cash) :**

A contracted consultant fee of \$10,000 (cash) is allocated for the necessary work to identify the needs assessment studies, data collection and report preparation. County staff in-kind contribution will not be claimed.

9. **Transition Planning – Define whether work is performed by county staff (in-kind) or consultant (cash):**

County of Merced staff will provide all necessary transition planning. No in-kind match will be claimed.

10. **County Administration:**

Costs for County of Merced Public Works project management staff salaries and benefits, legal advertisements, duplication of bidding documents, preparation of topographic surveys, soils report and materials testing services will not be claimed as in-kind match.

11. **Land Value:**

Land value for the 3.91 acres identified for the described project was determined using an independent, contracted appraiser complying with the requirements outlined in the state's RFP for this round of lease-revenue bond funds.

SECTION 3: PROJECT TIMETABLE

Prior to completing this timetable, the county must consult with all appropriate county staff (e.g., county counsel, general services, public works, county administrator) to ensure that dates are achievable. Please consult the State Capital Outlay/Board of State and Community Corrections Process Details and Timing Requirements section of the RFP for further information. Complete the table below indicating start and completion dates for each key event, including comments if desired. Note the required timeframes for specific milestone activities in this SB 1022 process. (The BSCC Board intends to make conditional awards at a January 2014 meeting.)

KEY EVENTS	START DATES	COMPLETION DATES	COMMENTS
Site assurance/comparable long-term possession <u>within 90 days of award</u>	1/1/2014	1/1/2014	County hold fee simple title to the proposed site.
Real estate due diligence package submitted <u>within 120 days of award</u>	1/1/2014	1/1/2014	Property appraisal is complete. Land is free of any encumbrances.
State Public Works Board meeting – Project Established <u>within 18 months of award</u>	1/1/2014	8/31/2014	Exact date set by State
Schematic Design with Operational Program Statement <u>within 24 months of award</u> (design-bid-build projects)	1/1/2014	9/30/2014	Traditional County delivery method would likely result in longer time to deliver project. Design-Build delivery seriously contemplated. Architect/DPW/CM/MSD
Performance criteria or performance criteria and concept drawings with Operational Program Statement <u>within 30 months of award</u> (design-build projects)	1/1/2014	7/31/2014	County is considering Design-Build approach to deliver project sooner. Architect/DPW/CM/MSD
Design Development (Preliminary drawings) with Staffing Plan	10/1/2014	12/31/2014	Architect//DPW/CM/MSD
Staffing/Operating Cost Analysis approved by the Board of Supervisors	1/1/2014	1/31/2014	MSD/CEO/BOS
Construction Documents (Working drawings)	1/1/2015	4/30/2015	Architect/DPW/CM/MSD
Construction Bids	5/1/2015	6/18/2015	BOS/DPW
Notice to Proceed <u>within 42 months of award</u>	7/15/2015	7/31/2015	BOS/DPW
Construction (maximum 3 years to complete)	8/1/2015	8/31/2017	Contractor
Staffing/Occupancy <u>within 90 days of completion</u>	9/1/2017	11/29/2017	CAO/MSD

SECTION 4: FACT SHEET

To synopsise and capture key information from Section 5: Narrative, applicants must complete this Fact Sheet. Minimal information is requested. Narrative information or explanations are not to be included on this Fact Sheet nor as part of the tables in this section. Explanations of what is provided in these tables may be included in the Narrative section of the Proposal Form. Proposal narratives may include reference back to one or more of these specific tables (e.g., refer to Table 4 in the Fact Sheet), rather than repeat information in the narrative that is already provided in the tables.

Tables 1 through 7 below constitute the Fact Sheet, which shall be provided with each proposal submittal, without regard as to whether the proposal includes bed construction. These tables of information shall be used by the raters in conjunction with the information provided in the proposal narrative (see Narrative section of the Proposal Form).

The information requested in this Fact Sheet pertains to those facilities (Type II, III and IV), approaches and programs under the jurisdiction of the sheriff or local department of corrections.

Tables 1 – 4, 6 and 7: For Average Daily Population (ADP), provide the average number per day for the first six months of 2013. For programs that started after January 1, 2013, provide the average number per day for the length of time the program was in effect (after the name of the program, provide the starting date). The same time period parameters pertain to Assessments per Month. "Lack of space" releases in Table 1 refers to the total of non-sentenced inmates released and sentenced inmates released early.

Table 3: The term "approaches" includes home detention, not incarcerating misdemeanants, etc., or other policies/procedures and approaches that do not include specific measures influencing recidivism reduction.

Tables 4, 5 and 7: The term "programming" refers to the utilization of formal programs that specifically incorporate measures to influence recidivism reduction.

Table 1: Provide the following information.

1.	County general population	262,478
2.	Number of detention facilities	2
3.	BSCC-rated capacity of system	753
4.	ADP (Secure Detention) of system	903
5.	ADP (Alternatives to Detention) of system	225
6.	Percentage felony inmates of system	79%

7.	Percentage non-sentenced inmates of system	61%
8.	Arrests per month	5913
9.	Bookings per month of system	844
10.	"Lack of space" releases per month	82

Table 2: Provide the name, BSCC-rated capacity (RC) and ADP of the adult detention facilities in your jurisdiction.

	Facility Name	RC	ADP
1.	Merced County Main Jail	189	217
2.	John Latorraca Correctional Facility	564	686
3.			
4.			
5.			
6.			
7.			
8.			

Table 3: List approaches currently in place to reduce the need for beds, and ADP for each.

	Pre-Trial Approaches	ADP
1.	Pre-Trial Release Program Sheriffs GPS and OR	22
2.	Citations vs Booking	59
3.		
4.		
5.		
6.		
	Sentenced Offender Approaches	ADP
1.	Sheriff's Community Supervision Program	68
2.	Day Reporting Center	19
3.	Electronic Monitoring-Home Detention-Work-in-lieu-Weekenders	225
4.		
5.		
6.		

Table 4: List the current offender programming in place and the ADP in each program.		
	Pre-Trial Program	ADP
1.	Flash Incarceration & Alternative Sanctions	8
2.		
3.		
4.		
5.		
6.		
	Sentenced Offender Program	ADP
1.	Leadership for Life	9
2.		
3.		
4.		
5.		
6.		

Table 5: List the offender programming gaps and deficiencies.	
	Gaps and Deficiencies
1.	Lack adequate administrative space, classrooms, temporary, housing space.
2.	
3.	
4.	
5.	
6.	

Table 6: List the offender assessments used for the purpose of jail population management.		
	Assessment Tools	Assessments per Month
1.	Accelerated Release	4
2.	Inmate Classification Review	
3.		
4.		
5.		
6.		

Table 7: List the offender assessments used for determining programming.

	Assessment Tools	Assessments per Month
1.		
2.		
3.		
4.		
5.		
6.		

SECTION 5: NARRATIVE

As defined previously in the RFP, there are two proposal types in this funding process. What follows below are the narrative points that must be discussed within each of the five major topic areas. Please note:

- **Beds and Program Space Proposals:** Proposals that include any type of bed construction (remodel/renovation or new construction) shall address all of the points under each of the five major topic areas below.
- **Program Space Proposals:** Proposals that do not include any type of bed construction shall address all five major topic areas, skipping those areas within 1, 2 and 3 that specifically fall under the Bed Construction heading. The All Projects heading under 2 does apply.

Attach up to the maximum number of 35 pages of double-spaced narrative (no smaller than 12 point font) ordered in the subject areas indicated within the proposal type. If it can be written in less than the maximum pages, please do so (avoid "filler"). Up to 10 additional pages of essential appendices may be included at the discretion of the applicant. Appendices cannot be used to give required narrative information. Pictures, charts, illustrations or diagrams are encouraged in the narrative or appendices to assist reviewers in fully understanding the proposed scope of work. Data sources must be identified.

If the project is for a regional facility (must meet the requirements outlined in the Regional Facilities section of the RFP), clearly indicate so. Include the names of the partnering counties and their individual data which supports the project and responds to the requested narrative points.

1.	PROJECT NEED
Bed Construction	
B: 1.01	Describe the findings of the needs assessment completed by the county.
B: 1.02	Provide a county jail system overview (e.g.; capacity, ADP and other relevant factors), including a description of other current or planned construction. If the county has an AB 900 award(s), indicate such and identify the number of beds to be constructed and current stage of planning or construction for this project(s).
B: 1.03	Describe the system issues anticipated to be remedied by the new construction, such as: overcrowding, medical, or mental health beds.
B: 1.04	Describe the current trends in the number of arrests, bookings, releases due to lack of space and other relevant factors as they relate to the need for beds.
B: 1.05	Discuss the current approach to reducing the need for beds, including programs and alternatives to incarceration.
B: 1.06	Provide data showing the effectiveness/impacts of these alternatives.

B: 1.07	Describe any plans underway, or future plans, to implement alternatives to incarceration and their anticipated results.
Program Space Construction	
PS: 1.01	Describe the process for determining the need for program space.
PS: 1.02	Describe the current approach to offender programming (i.e., use of current program space, types of programs, and services) for custody and non-custody offenders.
PS: 1.03	Describe what least restrictive alternatives have been put in place to address the needs of the population intended to be served by this proposal.
PS: 1.04	Describe the gaps and deficiencies in current programming for custody and non-custody offenders, and which of these gaps or deficiencies will be addressed with proposed program space construction funding.
PS: 1.05	Describe the approach taken to determining the kind of programming that will take place in the new program space.
PS: 1.06	Provide information and data supporting the county's need for program space.
PS: 1.07	Indicate the approach to alternatives to incarceration and how the program will assist in managing the jail population.
PS: 1.08	Describe the need for programming that could assist with the jail population management.

2.	SCOPE OF WORK
All Projects	
A: 2.01	Detail the full scope of work that is the subject of this proposal, including a comprehensive description of the number and types of beds (if any), program spaces, and other core and ancillary spaces; indicate whether this is new stand-alone construction, an addition to an existing facility, or space that is being remodeled or renovated.
Bed Construction	
B: 2.01	Describe the planning process that resulted in this bed construction scope of work.
B: 2.02	Describe the relationship between stated needs and the planned construction.
B: 2.03	Describe the anticipated beneficial outcomes of the new bed construction.
B: 2.04	Define the staffing that will be required to operate the new construction.
Program Space Construction	
PS: 2.01	Describe the planning process used to develop the design for the construction of program space.
PS: 2.02	Describe the relationship between stated needs and the proposed program space construction.
PS: 2.03	Define the features of this program space construction that make it suitable for the intended programming.

PS: 2.04	Describe plans to implement and operate programs in the space.
PS: 2.05	Describe the anticipated beneficial outcomes of the new program space construction.

3.	OFFENDER MANAGEMENT AND PROGRAMMING
Bed Construction	
B: 3.01	Describe how the proposed construction will address the county's offender management goals regarding use of secure detention
B: 3.02	Describe how the proposed bed construction aligns with the Community Corrections Partnership (CCP) plan.
B: 3.03	Describe the use of, or plans to use, offender assessment(s) and other interventions to address jail population management, including objective tools or instruments to manage the offender population, such as pretrial assessments, etc.
B: 3.04	Describe the county's planned construction in relation to the expected need for beds in the future.
Program Space Construction	
PS: 3.01	Describe how this program space construction will address the county's offender management goals.
PS: 3.02	Describe how the program space construction aligns with the CCP plan.
PS: 3.03	Describe the programming to be conducted in the new program space.
PS: 3.04	Describe how the program space will foster a quality reentry model and seamless reentry process.
PS: 3.05	Describe collaborative partnerships that will provide services within the program space and provide continuity through the reentry and community supervision process.
PS: 3.06	Describe the sources of financial support (i.e., Medi-Cal, other federal sources, etc.) that will be accessed to aid in the delivery of programs.
PS: 3.07	Describe the offender assessment(s) and the process for determining the programming offenders (custody and non-custody) will receive.
PS: 3.08	Describe the approach to the principles and objectives of evidence-based programming that will be incorporated to reduce recidivism, including program evaluation.
PS: 3.09	Define the staff qualifications necessary to present the planned programming (e.g., staff training certification).
PS: 3.10	Describe the target population and estimated numbers of individuals to be served daily and annually in the program space. Describe how you arrived at those estimates.

4.	ADMINISTRATIVE WORK PLAN
4.01	Describe the plan for project management and administration, including key positions and responsibilities.
4.02	Describe the current state of the county's project planning process.

4.03	Describe the county's readiness to proceed with the project.
4.04	Describe the construction project timeline.

5.	BUDGET REVIEW AND REASONABLENESS
5.01	Justify the amount of state financing requested for the planned construction.
5.02	Describe the anticipated benefits/impact of the construction in relation to construction costs (including any fiscal benefits).
5.03	Describe steps that the county has taken to minimize costs of this project.
5.04	Describe efforts to leverage other sources of funds (e.g., federal) for program delivery.
5.05	Detail the cost effectiveness of this construction project, including from a population management perspective.

SECTION 6: BOARD OF SUPERVISORS' RESOLUTION

All counties applying for SB 1022 financing must include a Board of Supervisors' resolution with the proposal submittal. The resolution must include the requisite components as outlined below. ("A" applies only to counties seeking the funding preference as described in the RFP – Funding Preference section.) For counties submitting multiple proposals (which requires participation in a regional facility as described in the RFP), separate resolutions for each proposal, with the necessary language contained in each resolution, is required.

- A. **All counties seeking to satisfy one or more of the funding preference criteria must provide the resolution language outlined below. Criterion #1 is mandatory if any funding preference is sought. Criteria #2, 3 and 4 are optional.**

PREFERENCE CRITERION #1: Adequate County Contribution Funds
In addition to all of the required documentation identified in the RFP, the following language must appear in the resolution:

The County of _____ (the "County") is seeking funding preference for its proposed project within the Adult Local Criminal Justice Facilities Construction Financing Program (the "SB 1022 Financing Program"). As such, the Board of Supervisors of _____ County does hereby represent, warrant and covenant as follows:

1) *Lawfully Available Funds.* The county cash contribution funds, as described in the documentation accompanying the County's SB 1022 Financing Program Proposal Form, have been derived exclusively from lawfully available funds of the County.

2) *County Cash Contribution Funds Are Legal and Authorized.* The payment of the county cash contribution funds for the proposed adult local criminal justice facility project (the "Project") (i) is within the power, legal right, and authority of the County; (ii) is legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the County under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds; and (iii) have been duly authorized by all necessary and appropriate action on the part of the governing body of the County.

3) No Prior Pledge. The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County. In addition, the county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of the County or its creditors. The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustee for the Bonds.

4) Authorization to Proceed with the Project. The Project proposed in the County's SB 1022 Financing Program proposal is authorized to proceed in its entirety when and if state financing is awarded for the Project within the SB 1022 Financing Program.

PREFERENCE CRITERION #2: Real Estate Due Diligence

The following statement must appear in the resolution:

The County is seeking funding preference for submittal of the complete initial real estate due diligence package.

PREFERENCE CRITERION #3: CEQA Compliance

One of the following two statements must appear in the resolution:

The County is seeking funding preference for submittal of documentation evidencing that compliance with CEQA has been fully completed for the proposed project, and further is certifying that all related statutes of limitation have expired without challenge.

Or:

The County is seeking funding preference for submittal of documentation evidencing that compliance with CEQA has been fully completed for the proposed project, and is certifying that all challenge has been completely resolved in a manner that allows the project to move forward as proposed.

PREFERENCE CRITERION #4: Authorization of Project Documents

The following language must appear in the resolution; the bracketed and underlined information must be updated as appropriate to be consistent with the person(s) each county authorizes to execute the respective project documents:

The County is seeking funding preference associated with review of and authorization to execute the project documents required within the SB 1022 Financing Program. As such, the Board of Supervisors of _____ County does hereby approve the form of the Project Delivery and Construction Agreement, the Board of State and Community Corrections Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease. Each of the [Chairman of the Board of Supervisors, the Chief Executive Officer of the County and the Chief Operations Officer of the County], or their designees (collectively, the "Authorized Officers"), acting alone, is hereby authorized for and in the name of the County to execute, and the Clerk to the Board of Supervisors is authorized to attest, the Project Delivery and Construction Agreement, the Board of State and Community Corrections Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease, in substantially the form hereby approved, with such additions thereto and changes therein as are required by the BSCC or the State Public Works Board to effectuate the SB 1022 Financing Program and as condition to the issuance of the Bonds. Approval of such changes shall be conclusively evidenced by the execution and delivery thereof by any one of the Authorized Officers each of whom, acting alone, is authorized to approve such changes.

Each of the Authorized Officers is authorized to execute these respective agreements at such time and in such manner as is necessary within the SB 1022 Financing Program. Each of the Authorized Officers is further authorized to execute, acknowledge and deliver any and all documents required to consummate the transactions contemplated by the Project Delivery and Construction Agreement, the Board of State and Community Corrections Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease.

B. For all counties, except as otherwise noted below, the Board of Supervisors' resolution for the project shall contain the following:

- Names, titles and positions of County Construction Administrator, Project Financial Officer and Project Contact Person.
- Authorization of appropriate county official to sign the Applicant's Agreement (page two of Proposal Form) and submit the proposal for funding.
- Assurance that the County will adhere to state requirements and terms of the agreements between the County, the Board of State and Community Corrections and the State Public Works Board in the expenditure of any state financing allocation and county contribution funds.

- Assurance that the County has appropriated, or will appropriate after notification of conditional award of financing but before state/county financing agreements, the amount of county cash contribution identified by the County on the financing program proposal form submitted to the Board of State and Community Corrections; the County acknowledges the need to identify the source of funds for county cash contribution, and assures that the cash match contribution does not supplant (replace) funds otherwise dedicated or appropriated for construction activities. (This section does not apply to counties seeking the funding preference.)
- Assurance that the County will safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations) within ninety (90) days after project completion.
- For Beds and Program Space proposals (that are NOT regional facility projects as defined in this RFP), include the following certification: The County certifies that it is not and will not be leasing housing capacity in this SB 1022 financed adult local criminal justice facility to any other public or private entity for a period of 10 years beyond the completion date of the adult local criminal justice facility.
- For Beds and Program Space proposals (that ARE regional facility projects as defined in this RFP), include the following certification: The County certifies that it is not and will not be leasing housing capacity in this SB 1022 financed adult local criminal justice facility for profit purposes to any other public or private entity for a period of 10 years beyond the completion date of the adult local criminal justice facility.
- (Provide the following site assurance for the adult local criminal justice facility at the time of proposal or not later than ninety (90) days following the Board of State and Community Corrections' notice of conditional award): Assurance that the County has project site control through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the project sufficient to assure undisturbed use and possession of the site, and will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Board of State and Community Corrections. (This section does not apply to counties using a build-to-suit arrangement.)
- Attestation to \$_____ as the current fair market land value for the proposed new or expanded facility. (This can be claimed for on-site land value for new facility construction, on-site land value of a closed facility that will be renovated and reopened, or on-site land value used for expansion of an existing facility. It cannot be claimed for land value under an existing operational detention facility. If claimed as in-kind contribution, an independent appraisal will be required as a pre-agreement condition.

(This section applies only to counties that are claiming land value as part of the county's contribution. Further, this section does not apply to counties using a build-to-suit arrangement.)

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1. PROJECT NEED

Bed Construction

B: 1.01

- Need for maximum and medium security facilities to hold the high percentage of pre-trial felons. Secure housing for identified high risk, opposing gang members, and special needs inmates. Validated gang members comprise 68% of the Main Jail, while 22% of the John Latorraca Correctional Center (JLCC) inmates are validated gang members or special need inmates.
- Lack of appropriate housing and program space for the recent influx of long term sentenced inmates due to the implementation of AB 109.
- Merced County is unable to provide suitable facilities for inmate programs/training.
- The County's highest crime-prone age group (20 to 34) will increase 29% between 2010 (68,490) and 2020 (88,454).

Merced County Population Projections by Age Groups

Total	2000	2010	2020	2030	2040	2050
All	210,876	255,793	360,831	437,880	528,788	625,313
15-19	19,324	26,147	27,419	35,185	40,859	46,776
20-24	14,613	25,925	27,443	33,029	40,828	45,774
25-29	13,824	24,033	30,925	30,619	39,835	45,463
30-34	14,369	18,532	30,086	30~353	37,016	44,758
35-39	15,523	17,034	27,535	33,419	33,941	43,100

Source: State of California, Department of Finance Population Projections

- A notable change in adult arrests in Merced County is the result of an increase in felony drug arrests (9.1 annually).

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- The Merced County Jail System inmate population has averaged 962 since 2009. This represents an ADP that exceeds the system wide rated bed capacity by 209 or 21%.
- The Merced County justice system (i.e., courts, sheriff, and probation) and city police departments have developed effective alternatives to incarceration to cope with overcrowding.
- Because of a court-ordered population cap at the Main Jail, *Torres v. The County of Merced*, 1993, the population cannot exceed 170 inmates or 90% of the rated capacity, 189 beds.

B: 1.02

The system wide rated capacity established by the Board of State and Community Corrections totals **753** beds. However based on the Federal Court decision, *Torres v. County of Merced*, 1993 the Main Jail inmate population cannot exceed 90% of the rated capacity of 189 or 170 total inmates. The total number of inmates authorized to be housed in the Merced County Jail System under both BSCC and US Federal Court is **746**. The system wide inmate capacity includes housing of male and female, sentenced and pre-trial, felony, misdemeanor, and civil prisoners located at two separate facilities.

Beds available at the Main Jail (MJ) are as follows: 191 installed beds with a Board Rated Capacity of **189**. Two extra beds were installed in the inmate worker dorm. The Main Jail is under Superior Court order which limits the number of inmates that can be held to 90% of the Board Rated Capacity of **189**.

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Beds available at the John Latorraca Correctional Center (JLCC) are as follows: 716 installed beds with a Board Rated Capacity of **564**. In order to provide a bed for every inmate housed at the facility, **152** additional beds have been installed in buildings 1, 3, 4, 5, and 6. Department and Board of State and Community Corrections records verify that the facilities have been chronically overcrowded since 1992.

Merced County currently has no plans under AB 900 or any other funding source to remodel or expand any of its Correctional Facilities.

				Detailed Breakdown of Rated Beds					
	Actual Beds	Rated Beds	Difference	Male	Female	GP Male	GP Female	AD Seg Male	AD Seg Female
Main Jail	191	189	+ 2	183	17	172	6	11	11
JLCC	716	564	+ 152	596	96	548	60	48	36
Facilities Totals	907	753	+ 154	779	113	720	66	59	47

B: 1.03

A. **Replace outdated dilapidated inmate housing.**

- The John Latorraca Correctional Center was constructed in 1990.
- The cost to maintain JLCC in 2012 was \$784,233.
- The Merced County Main Jail was constructed in 1968.
- The cost to maintain the Main Jail in 2012 was \$478,012.
- The current classification of inmates being housed at JLCC is destroying the minimum security school dorm facilities. These dorms were never intended to house medium and maximum security high escape risk inmates.
- Electronics and security systems throughout both facilities need to be

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repaired, or replaced.

B. Provide more housing, treatment, recreation and program space for Pre-trial and sentenced inmates.

- AB 109 legislation has resulted in an increase in the length of sentences at county jails. An inmate was recently sentenced to 17 years in the Merced County Jail under AB 109. This facility is not designed to hold inmates for sentences greater than one year. Traditionally, the average length of stay in Merced County Jails is 20-25 days. As of August 2013 there are 80 inmates in our system serving sentences greater than 1 year.

C. Exercise yard space

- Currently staff intensive to monitor and move groups to participate in recreation in the large open yard.

D. New consolidated intake at the JLCC

- Currently males are booked at the Main Jail and females at the JLCC.

E. Inmate services

- Currently very limited or no classrooms, treatment, and program spaces.

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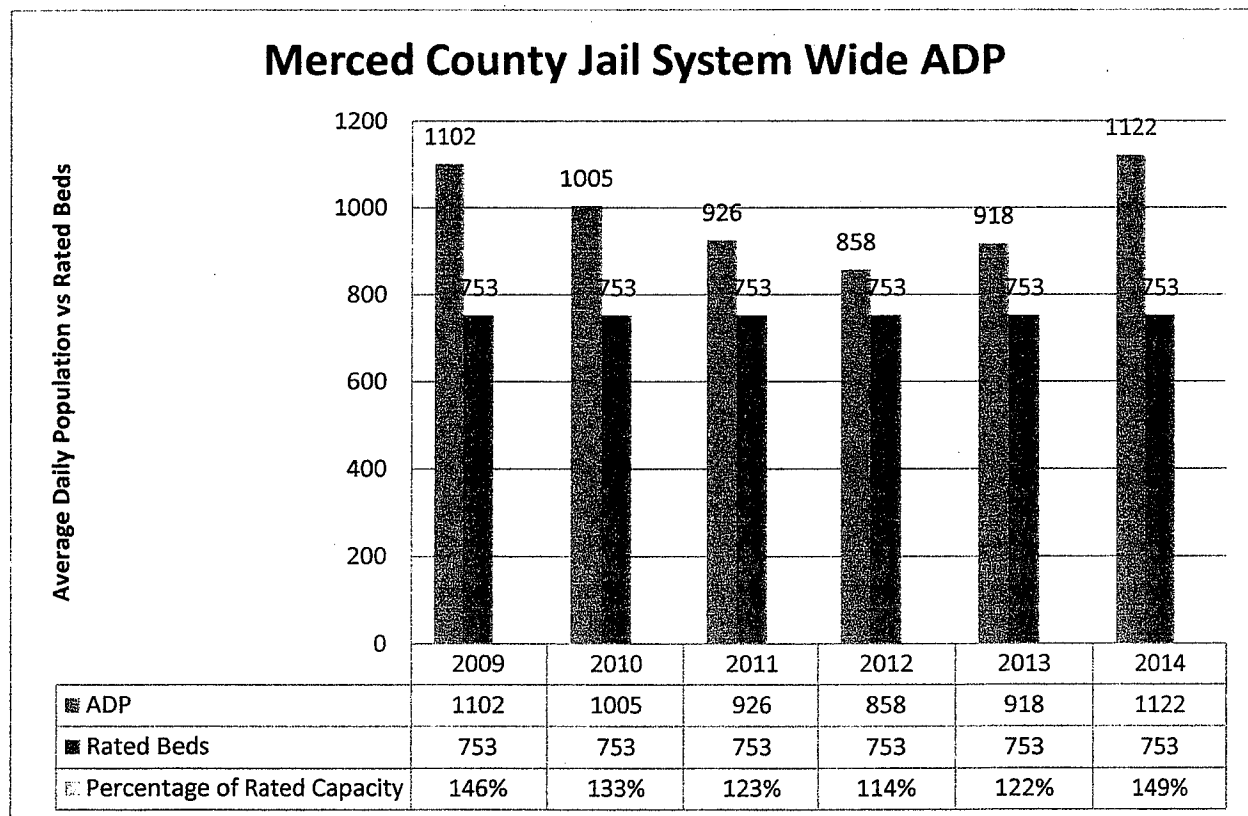
- Future state funding will be dependent on program availability i.e. Re-entry programs, and educational programs.

F. Public and Professional Visitation

- Inmate video visitation would allow more efficient use of staff and provide flexible visiting and interviewing opportunities for the public, attorneys, and investigators.
- Greatly improve facility security.

B: 1.04

A. Facility Statistics 2012



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B: 1.05

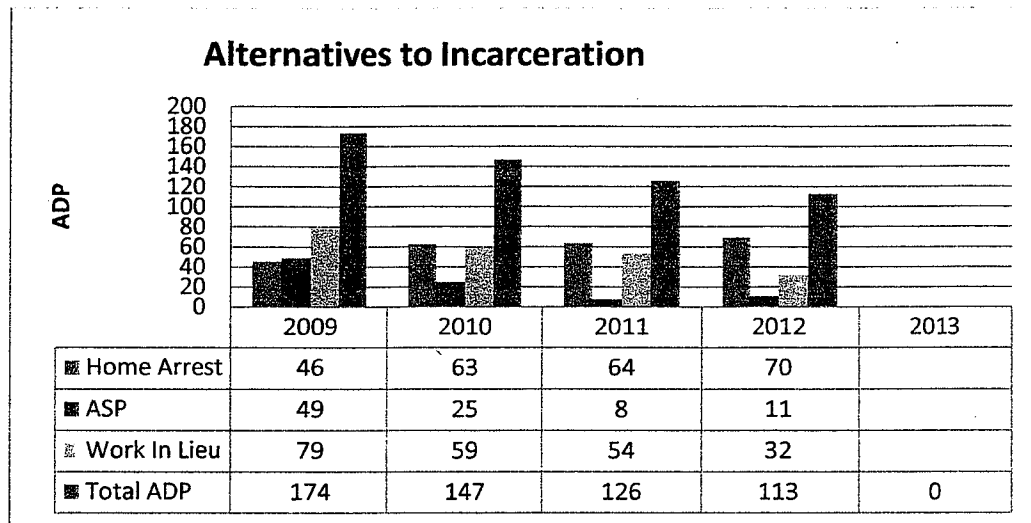
Crowded conditions, have forced Merced County to release most pre-trial inmates charged with misdemeanor violations via field and time of booking citations or post arraignment own recognizance. Selected sentenced inmates quickly are moved to Home Arrest, Alternative Sentencing Programs (ASP), Work in Lieu, or similar out-of custody programs such as Work Furlough run by the Sheriff's Office.

Alternative to incarceration options have significantly reduced the Merced jail population. However, there has been a decrease in the use of the work release programs. Inmates quickly learn that they would spend less time in custody because of the early release policy. Crowding, coupled with the court-mandated population "cap", has resulted in "early release" or "time served" for many inmates. There was no incentive for inmates to participate in the Alternative Sentencing Programs since by simply remaining in custody they would be released. Another example of an alternative program is the City of Merced's cite and release program. The Merced Police Department issues field citations and releases 1,200 to 1,500 persons arrested for misdemeanor violations per year.

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B: 1.06



B: 1.07

Formerly referred to as the Re-entry Subcommittee of the Community Corrections Partnership, the Adult Services Committee is a multi-disciplinary think-tank with the purpose of pursuing, implementing, and evaluating services to all adult clients. Committee participants include representatives of several community based organizations and all applicable County service departments and justice agencies. The committee convenes every two months and allows for open discussion on what works in community corrections. Participants have been educated on evidence based practices and, in turn, identify local efforts for the Probation Department to tap into for adult services. The mission of the committee is to explore cost-effective efforts to increase opportunities for client rehabilitation, thus reducing reliance on an over-burdened justice system, including County and State detention.

A. Sheriff's Department's Community Supervision Program

Operating out of the Trident Center, the Sheriff's Department is utilizing GPS to track and supervise clients released early from the County jail. Sheriff Department data reflects that 371

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clients were granted early releases in 2012, while none occurred in 2011. With few exceptions, the clients released early were placed on GPS and provided with both intensive supervision and the services provided within the Trident Center. As a result, the jail's average daily population of detainees was reduced from 926 in 2011 to 858 in 2012. Since 2012, the program has continually expanded to allow for more detainees to receive community services. For example, the May 2013 population reached a low of 646 detainees, for a total reduction of 294 detainees since September 2011, which ended with 941 detainees.

B. Pre-Trial Release Program

A role of the Probation Department is to review cases at time of arraignment to provide the Court with recommendations on whether to release defendants on O.R. (own recognizance) or to the Sheriff's Department for electronic monitoring. The pre-trial portion of the program was added in March 2013. The purpose of the program is to divert from incarceration those clients who pose the least risk to community safety and to reduce reliance on county jail beds. 22 clients have been diverted from jail to the pre-trial program since its inception.

C. Custodial Pre-Arrestment & Pre-Trial Program (Under Development)

As of December 2012, 82.5% (675/823) of the average daily population of the county jail beds were occupied by detainees awaiting disposition. To address this issue, the Probation Department proposes the addition of an in-custody Pre-Arrestment and Pre-Trial Release Program. Based on level of risk, clients placed on the program will either be released on their own recognizance or fitted with GPS units until the disposition of their court cases. Once proper staffing resources are identified, Probation and Sheriff Department personnel will collaborate on the implementation and utilization of a pre-trial release assessment. The assessment tool

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identified for implementation, the Virginia Model, can be utilized without associated costs or incorporated into the Probation and/or Sheriff's Department's case-management systems. It is anticipated that the Probation and/or Sheriff's Department will dedicate a minimum of two sworn staff members to this effort. The purpose of this program will be to identify clients of lowest risk to reoffend while pending disposition and to reduce reliance on county jail beds.

D. Behavioral Health Court

To date (June 2013), 88 clients have been served by the Behavioral Court program, saving an estimated 2,340 jail bed days. It is likely that additional bed days were also avoided by the development of the specialized caseload regardless of whether the client is also referred to the Court program.

E. Adult Drug Court

46 clients received Drug Court services in 2012 and an additional 29 have thus far (June 2013) been referred in 2013. It is estimated that as many as 2,200 jail bed days have been avoided utilizing this program during the past 18 months.

F. Day Reporting Center

The program served 193 clients in 2012 and 138 thus far (June) in 2013. It is estimated that nearly 10,000 jail bed days were avoided utilizing this program during the last 18 months.

G. Flash Incarceration and Alternative Sanctions

During the last 18 months (January 2012 – June 2013), 73 clients were flash incarcerated, avoiding long-term periods of detention for probation revocations. Staff estimated that approximately 1,400 additional jail bed days were avoided through the use of flash incarceration during this period.

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H. Custodial Re-entry Multi-disciplinary Program (Under Development)

The County will either develop in house or contract with the private sector for the implementation of a program within county custodial facilities to provide clients with re-entry services prior to being released from jail. Re-entry programming will likely include substance abuse treatment, educational services, cognitive behavioral therapy, employment services, anger replacement training, domestic violence counseling, and behavioral health services. Probation and Sheriff's Department personnel have toured bench-mark custodial programs and will likely model the Merced County programs after those in Santa Cruz and Napa counties.

I. Warrant Reduction Advocacy Program (Under Development)

The County will contract with a community based organization to serve as a nexus between the Probation Department and clients at-risk of being returned to court for violations. The program will be modeled after the Santa Cruz County WRAP effort, which resulted in 67% reduction of warrants for clients pending violations of probation. Fewer warrants in Merced County will result in fewer arrests, a reduction in jail bed days, and will help to ease the burden of the Merced County Superior Court.

J. SB 678 Performance Incentives Program

The California Community Corrections Performance Act of 2009 awards counties for reducing the frequency of probationers being revoked and committed to State Prison. The Merced County baseline for failure rate (2006-2008) is 4.5%, while the statewide baseline is 7.9%. Merced failure rate results for 2010 (4.1%) and 2011 (2.9%) resulted in allocations of \$364,000 and \$740,000, respectively. Funds have been utilized to support evidence based efforts, including the implementation of a offender needs assessment tool (STRONG), the

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implementation of an adult case-management system (Case-Pro), and to help support the Day Reporting Center.

In 2012, the failure rate was further reduced to 2.5%, thus establishing the Merced County Probation Department as one of seven (7) "High Performance" recipients in the State. As a result, Merced County's allocation for 2013/2014 is \$1,675,000. These funds will be utilized to support plans identified in this report as being "Under Development". Being recognized as a "High Performance" entity demonstrates Merced County's ability to reduce reliance on detention through community rehabilitative efforts.

Program Space Construction

PS: 1.01

Merced County's Main Jail is a small, old generation, linear facility. It is limited in its ability to provide any inmate programs beyond the minimum required by law. JLCC was built in the late 1980's as a campus style type III-IV facility. Program space is provided across a spread-out campus. Due to the lack of medium and maximum security beds at the Main Jail, minimum security dorms at JLCC were hardened. Inmates are housed in these hardened minimum security dorms who should be housed in medium or maximum cell space. Conversion of the housing units eliminated program space provided in the facilities original design. Program space provided outside the housing units is utilized today in a very limited manner due to the security issues they pose.

The current inmate population consists mainly of pre-trial felons. An average length of stay of less than 30 days makes any meaningful programming impractical. Consequently, the jail

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administration's ability to respond to legal demands for programs and meet evolving concepts of inmate management is limited to a great extent by physical plant design.

The Merced County Sheriff's Office in conjunction with other criminal justice agencies and the Community Corrections Partnership (CCP,) worked to identify those programs that will provide the most effective programs to Merced County inmates.

PS: 1.02

Programming currently consists of early release of sentenced inmates. They participate mainly in work in lieu and work furlough programs. The following rehabilitative programs are currently provided for inmates:

- Narcotics Anonymous.
- Alcoholics Anonymous.
- GED classes.

Anticipated programs for the new facility include:

- College level courses.
- Domestic abuse classes.
- Anger management classes.
- Parenting classes.
- Victim awareness classes.
- Expanded English classes.
- Outpatient in custody drug treatment (State supported up to 50 beds).

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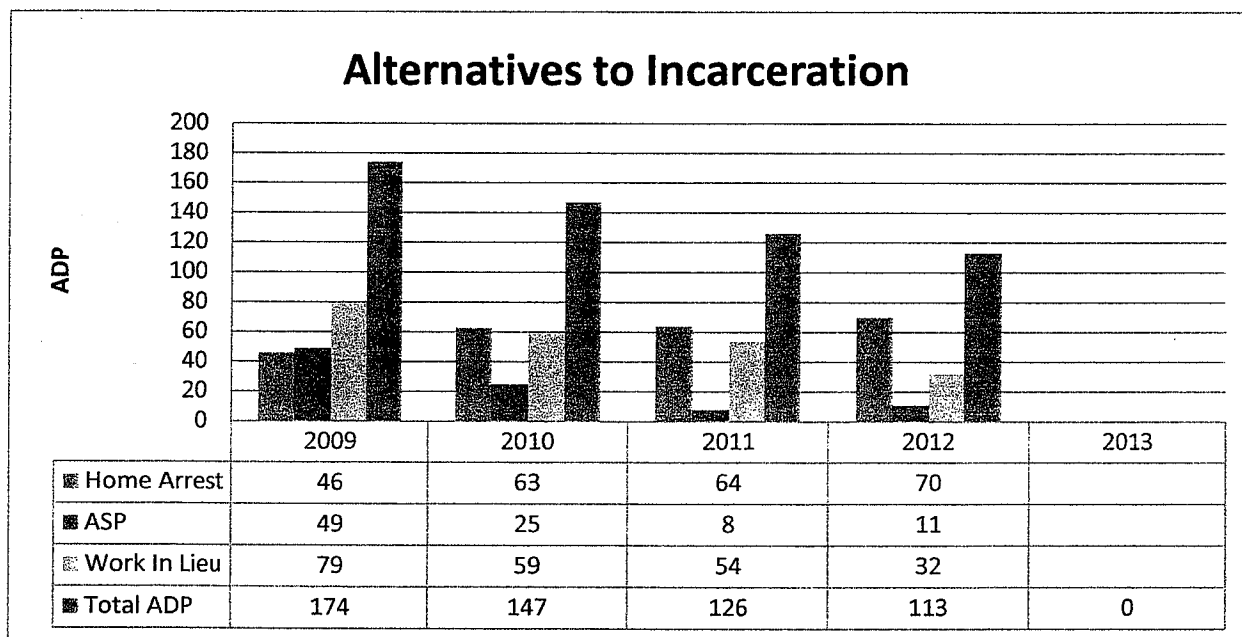
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- Community-based "sentenced" day reporting center.
- Recovery faith-based program developed as an outpatient mental health center.
- Salvation Army - housing for homeless.

Current lack of appropriate space and security issues restrict the County's ability to provide such programs.

PS: 1.03

Sentenced inmates are eligible for release if they qualify for the Work in Lieu, Work Furlough, Home Arrest, Alternative Sentencing and Weekender Programs offered by the Sheriff and Probation Department.



Pre-trial and Sentenced inmates can participate in:

- Narcotics Anonymous.

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- Alcoholics Anonymous.
- GED classes.

PS: 1.04

The Main Jail and the JLCC lack the facilities and space to provide meaningful programming for both custody and non-custody inmates. Crowding mandates the early release of low level sentenced inmates. Only medium and maximum security inmates remain in custody for any period of time.

The majority of the inmate population is housed at the JLCC in dorms that have been hardened. Program space that could be used for programming is being utilized as housing.

PS: 1.05

The Sheriff's Office, in conjunction with the Probation Department and the CCP, has developed programs that will prepare inmates for release and job readiness. The programs will also include activities to engage inmates in order to reduce unproductive behavior while in custody.

PS: 1.06

The jail currently has limited programming space and the current facility design does not support programs. The CCP has program funding but space limitations will be a challenge to future programming expansion in our facilities.

PS: 1.07

The Sheriff's Office has a very robust electronic monitoring program that has significantly helped in reducing the inmate population. The Sheriff's Office is co-located with Probation Officers, and Health & Human Services, and Behavioral Health staff in the "Trident Center". This

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provides one-stop services to individuals in the monitoring programs. A classroom in the building also provides needed programs on basic life skills necessary for re-entry into the community.

PS: 1.08

Available programming space will provide productive activities for our inmates and reduce the current violence and facility destruction in the facilities. The County desires to provide proper re-entry classes in custody to reduce the high return rate of inmates. These classes will coordinate with current programs offered when the inmate is later released from custody.

2. SCOPE OF WORK

All Projects

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New 432 Bed Facility Close Main Jail	
Total Beds (current 753)	816
SB 1022 Funds	\$40,000,000
Amount Borrowed (by County)	\$17,704,000
Total Project Cost	\$57,704,000
Increased Yearly Operating Cost	\$341,318
Debt Service	\$1,573,000
Total Increased Operating Cost	\$1,914,318

A: 2.01

- Construct a new multi-story 432 bed medium and maximum security stand alone facility at the John Latorraca Correctional Center (JLCC). This new housing unit will provide for segregation of various inmate classifications. This will be accomplished by building double bunked cells and 10 person dorms. Support space will be provided for special needs inmates to include treatment rooms, classrooms, and isolation areas. Each housing unit will include; outdoor recreation, dayrooms, and medical/mental health examination rooms.
- Close the existing Merced County Main Jail (189 Board rated beds).
- JLCC will lose 180 Board rated beds due to the renovation of existing dorms into a new intake/release facility, medical holding area, property room, and programming space.
- Merced County will gain 63 Board rated beds overall. Merced County will have a total of 816 Board rated beds which will all be located at JLCC. The main jail will be closed.

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Merced County currently has a Board rating of 753 beds between the main jail (189 beds) and JLCC (564 beds).

- Convert five (5) existing inmate dormitories into classroom/program space (Building 600).
- Convert one existing inmate dormitory into a property room (Building 600).
- Construct a centralized intake/release facility at JLCC in existing inmate dormitory space in building 300 (See diagram page 18), and a medical holding area located inside existing dorm space in building 300.
- Construct a video visitation facility and administrative offices inside the existing space of the old administration building (See diagram on page 18).
- Provide long term housing, treatment, and program space for inmates sentenced to the JLCC under AB 109.
- Provide necessary housing, treatment and program space for special needs pre-trial and sentenced inmates with behavioral health issues.
- Provide needed segregation of validated gang members. The new 432 bed facility will provide the necessary space to segregate different classification of inmates. The new facility will contain six (6) exercise areas inside the building. Each of the six (6) pods will have an exercise yard.

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JLCC Centralized Intake and Release Facility

JLCC Administration and System Wide Video Visitation Building

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Bed Construction

B: 2.01

An internal needs assessment was completed by the Merced County Sheriff's Office. An audit was done of past BSCC Inspections as well as Grand Jury Reports and the Federal Court Order in Torres vs. Merced County. All note the issues our facilities face with overcrowding and an increasing need for higher security bed space.

B: 2.02

Construction of the new multi-story 432 bed facility will allow us to close the outdated linear style Main Jail and consolidate all correctional services in one location. It will replace non-secure housing for maximum security inmates from current dorm style housing at JLCC. The proposed program based housing units are less staff intensive due to their higher level of security construction.

B: 2.03

The design of the proposed pod style housing areas will allow for in-pod services such as medical and mental health as well as program space for re-entry services. It will also incorporate in-pod video visitation. This design decreases the amount of inmate movement and prevents contraband from entering the facility. The new bed construction will allow for better management of our classification system and allows for increased monitoring of the inmate population.

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B: 2.04

Our plan is to close the existing Main Jail and reassign existing personnel to JLCC in order to operate the proposed 432 bed facility. The increase in personnel consists of the addition of 4 additional Correctional Technicians. Our current staffing allocation is as follows: one (1) Captain, two (2) Lieutenants, nine (9) Sergeants, 72 Correctional Officers, eight (8) Correctional Technicians, two (2) Extra Help Correctional Technicians as well as Extra Help Correctional Officers.

Program Space Construction

PS 2.01

The Merced County Sheriff's Office in conjunction with the Probation Department have worked together to design much needed program venues that will meet current and future inmate needs. The new construction provides for programming space in the pod design. The remodel of five (5) existing inmate dorms into classroom/programming space will allow for enhanced programming opportunities for general population inmates. The dorms were originally designed in a school classroom style and can easily be converted from inmate housing to classroom/programming space.

PS 2.02

Critically needed program spaces will be provided in the new multi-story pods, as well as the remodeling of existing housing into program space. It will provide functionality, security and safety enhancements. The new space provides for more effective management of inmates needs while in custody and in preparing them for release.

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PS 2.03

The new program venues will meet all current BSCC and ADA requirements. It will be cost effective and staff efficient allowing wider variety of programming for inmates who will be serving longer sentences in our jail facility.

PS 2.04

The Probation Department will be funding programs through funding received from the State of California. This will include the services of an in custody re-entry program provided by an outside vendor. Additional programs are funded through Child Support Services, Behavioral Health, Merced County Jail Ministry, Volunteer Programs such as NA/ AA, and Celebrate Recovery. The CCP has allotted funding for one (1) Probation Officer, one (1) Correctional Technician, and one (1) Correctional Officer in order to support the programs implementation and oversight.

PS 2.05

Providing the necessary program space will allow inmates the opportunity to complete programs, court ordered classes, ministry services, substance abuse counseling, and job readiness training in order to effectively transition the inmate for release in to the community.

3. OFFENDER MANAGEMENT AND PROGRAMMING

Bed Construction

B: 3.01

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The proposed construction will give Merced County the ability to manage offenders based on a classification system. First, pre-trial detainees will be given a full assessment at intake and only the offenders that pose a risk to the community based on a validated assessment tool will be kept in secure housing. The assessment tool will give flexibility to release individuals back into the community either on their own recognizance or be placed on electronic monitoring. The assessment will allow Merced County to use their secure beds for only the most serious pre-trial detainees. Lower risk "minimum security" inmates will be referred to detention alternative programs and will be reviewed by the Sheriff Release Team (SRT) for placement.

With regards to sentenced inmates, the proposed construction will allow programming elements into the secure housing units, which will have a twofold effect. First, the programming will assist offenders in obtaining skills that can assist them once they are released. In addition, the secure housing will allow inmates to be classified, based on an assessment tool in order to determine which offenders need to be housed in this type of facility. The assessment used will also determine if the offender is eligible to be released into the community and complete their court ordered confinement time under the electronic monitoring program. In addition, by adding secure housing beds such as in the proposed construction, it allows additional programming elements to be completed in a less secure housing environment, which may foster positive behavior from the inmates in order for them to be moved to a less secure area.

The proposed construction will allow for inmates to be housed according to their classification assessment and takes into consideration the fact that over 30% of the inmate population

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suffers from mental health related issues, while 87% suffer substance abuse related problems. There is an increasing need to treat this portion of the population and to keep non-violent inmates segregated from criminally sophisticated and dangerous inmates. Increasing program space will allow us to expand services as our population changes due to realignment.

B: 3.02

The Proposed bed construction aligns with the Community Corrections Partnership. On the program level, the proposed construction allows for program space, of which there is currently none. The CCP plan integrates pre-trial evaluation and assessment in order to determine the risk levels of individuals pending the court process. This construction allows for additional space for pre-trial staff to facilitate assessments while in custody. Current construction does not allow for this staffing to complete in custody assessments.

In addition to the dedicated program space in the new facility, the indirect benefit of the construction will assist the offenders in programming. It has been documented in Napa and Santa Cruz Counties that if the construction of the living space is done in a way to facilitate communication between groups, it will benefit the offenders in programming. The living units as proposed in the construction plans will allow offenders to communicate outside of program hours, allowing communication and mentoring of other offenders.

B: 3.03

The Merced County Probation Department currently uses the STRONG risk & needs assessment tool for assignment to the appropriate level of supervision. This allows the Department to identify the criminogenic needs of each offender and develop a case plan individually tailored

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to the individual. It will be the intent of the Probation Department to use the STRONG assessment tool in determining risks and needs for the inmate population in the new facility. In order to determine which inmates are appropriate for programming, staff will need to be aware of their risk levels and dynamic needs. The assessment will be administered by either a deputy probation officer assigned to the facility or a contract vendor assigned to provide programming in the facility.

It is the intent to begin utilization of the "Virginia Model" pre-trial assessment tool. This tool can be administered by probation or sheriff personnel. This tool will provide guidance, based on risk, of which offenders can be released from custody prior to sentencing. This process will identify inmates that can be released on their own recognizance as well as those that can be released to a pre-trial supervision program. The Sheriff's Office currently supervises offenders on a court ordered pre-trial supervision program after a recommendation is made by the Probation Department. The current process will be enhanced with the utilization of the "Virginia Model" pre-trial assessment tool.

B: 3.04

There are no current plans to provide for bed needs beyond the projected ADP through 2014. The construction of appropriate security level beds, along with alternatives to incarceration and re-entry programs, will mitigate the immediate need for more "bricks and mortar" construction.

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Program Space Construction

PS: 3.01

The jail facility currently lacks the space sufficient to conduct rehabilitative and re-entry programs. The space dedicated to programs within the new 432 bed facility will allow various types of programming consistent with best and proven practices for reducing recidivism. Currently in the RFP stages, the Probation Department, in conjunction with the Sheriff's Office will be implementing in custody programs, to meet the needs of offenders ordered to serve their commitments in custody. This program will be difficult to implement in the current facility as the program space is insufficient to meet the needs for these types of programs.

Programs identified for implementation benefit inmates in that the programs will be conducted in dorm like settings, thereby placing the offender in a less restrictive environment. This type of setting is conducive to programming and will provide an incentive to the participants to work in positive manners and achieve their goals as outlined in the programs. The programs will help prepare the inmates for release by providing a full array of rehabilitative services, including alcohol and other drug treatment, education services, job readiness classes, life-skill training, cognitive behavioral therapy, and other evidence-based curriculum.

PS: 3.02

The program space allotted in the new facility design and remodeled dormitory spaces will enhance the programs already taking place. Currently, the County operates an out of custody Day Reporting Center that has the capacity to serve up to 65 clients in order for them to receive educational services, cognitive behavioral therapy, substance abuse counseling and job

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readiness training. The program space in the facility design will assist offenders in custody to begin their rehabilitative process, which will enable them to receive services that have been historically relegated to offenders who have finished serving their time in custody.

Additionally, the Probation Department, along with Sheriff Personnel, will have space to fully implement a validated pre-trial program. The space designed will provide a venue for Probation and Sheriff staff to interview and assess pre-trial offenders to determine if they can be released pending their court appearance, and elevate potential programs available for them upon release.

The CCP plan has approved a Jail WRAP program which is currently in the RFP process. The WRAP program will allow the Probation Department to contract with a community based organization in order to reduce the number of bed days in custody for probationers who otherwise would not be in custody. The WRAP program will have a liaison to work between the Probation Department and offenders. Should an offender begin to get "off course", the liaison will work with both parties in order for the offender to avoid a warrant for their arrest, resulting in extra bed days in custody. It is anticipated that these offenders will be referred to the appropriate local programs in lieu of having a warrant issued, thereby eliminating the need for additional time in custody or taking up Court time.

PS: 3.03

A variety of programs will operate in the new program space. Including a re-entry program, designed after our current out of custody day reporting center. This program will provide education, job readiness, substance abuse counseling, as well as cognitive behavior therapy.

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The approved vendor for this program will work with offenders while in custody and prepare them for release, which could include a transition to the out of custody day reporting center.

This program will allow for a separate housing unit for the program. The program will allow inmates to separate themselves from the general population and work with staff dedicated to this program. Inmates will be in a less restrictive housing environment. This living environment will encourage participation and positive behavior while in the program.

A pre-trial program will also be part of the new program space. Probation and Sheriff staff will work together in order to conduct assessments on individuals pending the court process. This assessment will be used to determine which inmates are eligible to be released from custody prior to sentencing.

PS: 3.04

One of the programs that will be implemented in the new program space will be a re-entry program, modeled after the current Day Reporting Center. Offenders that will be placed in this program will work on a variety of skills; educational, employability, cognitive behavioral skills, as well as substance abuse counseling. Offenders who participate in this program will be more prepared for re-entry into the community. These individuals will be able to make a seamless transition into the Day Reporting Center. The services both in custody and out of custody will be similar and the offenders will be able to understand the program once released. In addition, as the offenders will be familiar with the model of the program in custody, the comfort level will be greater upon their release from custody.

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PS: 3.05

The Sheriff's Office, Probation, Human Service Agency, Mental Health and Workforce Investment agencies are currently involved in a collaborative partnership that serves this population. Merced County Probation and the Sheriff's Office have developed the Trident Center, which has brought together these agencies to work collaborate in one location to provide programs and supervision. Offenders that are serving "time" in the community under electronic supervision report to this location as well in order to receive services.

The program space proposed in the new and remodeled facilities will allow these services to be brought into the custodial environment. The in custody re-entry program will be a collaborative effort between the Sheriff's Office, Probation, and the vendor providing these services. The Merced County Mental Health Department and Human Service Agency will also be brought in to assist offenders assigned to this program as needed. This determination will be made by program staff as well as probation and sheriff personnel.

PS: 3.06

The Probation Department will be funding the previously described programs through allocations from the State of California, including AB 109 and SB 678.

PS: 3.07

The Merced County Probation Department currently utilizes the STRONG assessment for risk and needs of adult offenders assigned to the Department for supervision. This assessment determines the needs of the adult offender population. With this assessment, the assigned

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officer is able to determine the hierarchy of criminogenic risk factors and which ones need to be targeted in order to potentially reduce the risk of re-offending. For example, should educational needs be a need for an offender, the officer can refer to a program that will concentrate on those needs. The same would apply for vocational, substance abuse, or job readiness.

The in custody assessment would be similar. The Probation Department, in conjunction with the Sheriff's Office, would use the STRONG assessment to determine eligibility for in-custody programming. The needs and risk of the offender would be evaluated to meet the program needs of the offender. Once the assessment is completed, the Probation Department would work with custody staff in order to determine the amount of time the offender will be in custody. Should the offender meet the requirements of the programs, he/she may be moved to a separate housing unit in order to participate in the program.

PS: 3.08

Evidence based programming as part of this plan begins at the pre-trial stage of the process. Offenders will be evaluated and assessed using a validated risk assessment tool to determine their risk to reoffend as well as their likelihood to appear for court hearings. Offenders that do not pose an immediate risk to the community will not benefit from being housed in a facility that contains other serious offenders. Although some individuals who do not have lengthy criminal histories will be detained based on serious acts, it is anticipated that very few offenders will be detained during the pre-trial process that do not have lengthy or serious criminal histories. As part of this program, and with the proposed project, which would allow

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space for probation staff to be assigned, an evaluation of this assessment will occur on an annual basis. Individuals that are released due to lowest risk levels will be tracked for a one year period of time to determine if they committed new offenses or failed to appear for court hearings once released. Based on the program evaluation, modifications may be necessary to the assessment tool in order to continue to detain and release the correct offenders.

The RFP that is currently in process for the re-entry program required bidders to spell out the evidence based practices that they will use as part of the program. It is a requirement that all programming be evidence based. Assessments, motivational interviewing, cognitive behavioral therapy, and educational program follow evidence based practice models to change the way an offender thinks as well as provide them with additional opportunities once they are released from custody.

The vendor chosen to provide this program will be required to provide an evaluation to the Probation Department and Sheriff's Office that not only shows successful completion of the program, but the recidivism of its participants over the course of the contract.

PS: 3.09

Staff qualifications for the re-entry program will be a required element for vendor selection. The staff assigned to the program must be trained and certified in motivational interviewing, cognitive behavioral therapy as well as substance abuse counseling. Other specific programming as part of the re-entry process will require staff to maintain current certifications as it relates to their assignment.

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PS: 3.10

The target population for the programming in this section will include offenders committed to the facility for more than a six month period of time. Preference will be given to offenders with longer sentences, but Merced County does not want to limit services to offenders that could be returned to the community after a moderate amount of time in custody. The RFP for the re-entry program calls for the program to provide services to 65 offenders at any given time. As this is a program that will last approximately six (6) months, it is anticipated to serve 100 offenders on an annual basis.

The pre-trial program previously described will provide approximately eighty assessments monthly, or approximately 960 pre-trial assessments annually. This number was obtained from numbers the Probation Department has accumulated over the past year of doing reports to the court on offenders for their bail hearings.

4. ADMINISTRATIVE WORK PLAN

4.01

The following individuals will be involved in Project Administration;

- The Chairperson of the Merced County Board of Supervisors (BOS) will be the County official authorized to sign the Applicant's Agreement and submit the proposal for funding. The Chairperson will also be preauthorized to execute all necessary agreements to include but not limited to, Project Delivery and Construction Agreement, Right of Entry, Ground Lease, Facility Sub-Lease, and BSCC Construction Agreement.

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- The Merced County Public Works Director will act in the capacity of project manager and overall construction administrator.
- The Merced County Auditor Controller will be the projects financial officer.
- The Sheriff will assign an executive staff person as the department's contact from design through occupancy of the new facilities.
- Merced County Executive Officer shall coordinate with all participants to insure the project's progress is reported to the BOS.

4.02

Merced County has made significant investment of time and money into this project. The Board of Supervisors has appropriated the required 10% match (\$5,770,400) toward the project. In addition to this mandatory requirement of the SB 1022 legislation they have made an additional fiscal commitment to improving the jail. Merced County will provide an additional \$17,704,000 to do needed improvements to JLCC beyond those that can be accomplished through the SB 1022 funding (\$40,000,000). This commitment of local resources demonstrates the County's willingness to step up to the challenges presented to them due to long term neglect of current facilities and the implementation of AB 109.

Merced County Public Works has done an evaluation of the infrastructure at the JLCC and are in the process of up-dating the CUP and EIR. Space Planning and Conceptual design have commenced and should be completed by the end of the year.

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4.03

The County has assembled a team of County level managers experienced in jail needs, design and construction of the new facility, and additional renovations to be done by the County in conjunction with the SB 1022 project.

4.04

Upon receiving a conditional award from the SB 1022 grant Merced County will immediately proceed to the Design Development. If not yet completed real-estate due diligence, and CEQA will be completed by County Public Works and Planning. Concurrent with this process an RFP for architectural and construction management services for the complete project will be issued.

5. BUDGET REVIEW AND REASONABLENESS

5.01

Merced County is requesting \$40,000,000 in state funding and is committed to augmenting the maximum award to medium sized counties with an additional \$17,661,000 in cash matching funds and \$43,000 of in-kind matching funds, representing 30.61% and .07% respectively of the total project cost. The facilities currently occupied are of a design and type of construction that is dysfunctional for the type of inmate incarcerated and must be replaced or significantly upgraded. As a county that has experienced some of the worst financial impacts from the real estate bubble and "Great Recession", Merced County is making a significant commitment of its already meager resources to implement the goals of SB 1022.

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5.02

Merced County is adopting a detention facility model already designed and in use by Madera County. The benefits of the reuse of an already vetted design and the slight modifications to the original design to further enhance operational efficiencies that are being shared between these two entities, makes the design process significantly more streamlined. The fiscal benefits of the design allow for reduced staffing costs, and using an existing design highlights those particular building systems, methods of construction and finishes that can benefit from value engineering to further achieve reduced costs in the construction of the facility.

5.03

Merced County has traditionally utilized the design-bid-build method for delivering construction projects. This project, has the preliminary support of the CEO's office to further investigate and justify the benefits of delivering the project using the design-build method. Design-build, with the appropriate level and detail of bridging documents and performance criteria documentation, has a very high probability to achieve reduced cost through innovative construction techniques from the design-build entities. Additionally, utilizing an existing facility design plan that is proven will further reduce the design efforts of the design-build entity. Lastly, design-build historically can reduce the time to deliver the facility in a shorter duration for quicker occupancy, which is of utmost importance to the citizens of Merced County.

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5.04

Merced County will pursue any available federal or state funding to assist in completing this project. The CCP has agreed to provide support for in-custody re-entry programs within our current facilities. The lack of current programming space will hamper our success until this new facility is completed. The commitment of \$17,704,000 in county funding shows the support of the Board of Supervisors and community in this project.

5.05

The project will streamline facility operations by closing the main jail and locating the new facility at JLCC. We currently have to duplicate many of our correction responsibilities in two facilities. The consolidation will require a minimal increase in staff and save a significant amount of funds in our current operating costs for the two facilities. The design of the new facility will provide staff and inmates a safe environment currently lacking at our facilities. The design will allow the implementation of programs throughout the facility with additional programming space available to increase programming opportunities.